

**ASSEMBLY BILL**

**No. 423**

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**Introduced by Assembly Member Cooley**

February 19, 2015

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An act to amend Sections 309, 361.45, 11450, 11461.3, 11465, and 11477.02 of, and to add Section 13758 to, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 423, as introduced, Cooley. CalWORKs: relative caregivers.

Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds. Existing law specifies the amounts of cash aid to be paid each month to CalWORKs recipients.

Existing law establishes the Aid to Families with Dependent Children-Foster Care (AFDC-FC) program, under which counties provide payments to foster care providers on behalf of qualified children in foster care. Under existing law, a child is eligible for AFDC-FC if he or she is placed in the approved home of a relative and is otherwise eligible for federal financial participation in the AFDC-FC payment, as specified. Existing law establishes the Approved Relative Caregiver Funding Option Program in counties choosing to participate, for the purpose of making the amount paid to relative caregivers for the in-home care of children placed with them who are ineligible for AFDC-FC payments equal to the amount paid on behalf of children who are eligible for AFDC-FC payments. In order for a relative caregiver to receive

benefits under the program, existing law requires a child placed with the relative caregiver to reside in the state.

This bill would revise provisions of the Approved Relative Caregiver Funding Option Program to, among other things, authorize a relative caregiver to receive payments on behalf of a child pursuant to the program, regardless of whether the child resides, or will be residing, outside of the state or the participating county pursuant to his or her placement. The bill would establish procedures for the distribution of payments to relative caregivers, as specified. The bill would also require that an infant supplement, as specified, be paid under the CalWORKs program and the Approved Relative Caregiver Funding Option Program to a teen parent who is placed with his or her child in the home of a relative caregiver and is the subject of a voluntary placement agreement or subject to the jurisdiction of the juvenile court, as provided.

Under existing law, if the county welfare department places a child who is in temporary custody or subject to the jurisdiction of the juvenile court with a relative or nonrelative extended family member, as defined, the county is required to evaluate and approve or deny the home for purposes of AFDC-FC eligibility.

This bill would additionally require the county to evaluate and approve or deny the home for purposes of CalWORKs eligibility if the child is found to be ineligible for AFDC-FC, and would require the placing agency to initiate and complete the applications for AFDC-FC and CalWORKs or the Approved Relative Caregiver Funding Option Program, as specified. The bill would also require the county social worker or eligibility worker to explain to the relative, either in person or by telephone, the eligibility requirements and benefit amounts for the AFDC-FC and CalWORKs programs, and the Approved Relative Caregiver Funding Option Program if the county has opted into the program, as well as any actions the relative could take to affect the child's eligibility for those programs. By requiring county employees to provide these services, the bill would impose a state-mandated local program.

Existing law requires that every youth who is in foster care and nearing emancipation be screened by the county for potential eligibility for the federal Supplemental Security Income (SSI) program.

This bill would require that every youth who is in foster care and has been determined to be ineligible for AFDC-FC benefits be screened by the county for potential eligibility for the SSI program. By imposing

this additional duty on counties, the bill would impose a state-mandated local program.

Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.

This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 309 of the Welfare and Institutions Code  
2 is amended to read:

3 309. (a) Upon delivery to the social worker of a child who has  
4 been taken into temporary custody under this article, the social  
5 worker shall immediately investigate the circumstances of the child  
6 and the facts surrounding the child's being taken into custody and  
7 attempt to maintain the child with the child's family through the  
8 provision of services. The social worker shall immediately release  
9 the child to the custody of the child's parent, guardian, or  
10 responsible relative, regardless of the parent's, guardian's, or  
11 relative's immigration status, unless one or more of the following  
12 conditions exist:

13 (1) The child has no parent, guardian, or responsible relative;  
14 or the child's parent, guardian, or responsible relative is not willing  
15 to provide care for the child.

16 (2) Continued detention of the child is a matter of immediate  
17 and urgent necessity for the protection of the child and there are  
18 no reasonable means by which the child can be protected in his or  
19 her home or the home of a responsible relative.

20 (3) There is substantial evidence that a parent, guardian, or  
21 custodian of the child is likely to flee the jurisdiction of the court.

1 (4) The child has left a placement in which he or she was placed  
2 by the juvenile court.

3 (5) The parent or other person having lawful custody of the  
4 child voluntarily surrendered physical custody of the child pursuant  
5 to Section 1255.7 of the Health and Safety Code and did not  
6 reclaim the child within the 14-day period specified in subdivision  
7 ~~(e)~~ (g) of that section.

8 (b) In any case in which there is reasonable cause for believing  
9 that a child who is under the care of a physician and surgeon or a  
10 hospital, clinic, or other medical facility and cannot be immediately  
11 moved and is a person described in Section 300, the child shall be  
12 deemed to have been taken into temporary custody and delivered  
13 to the social worker for the purposes of this chapter while the child  
14 is at the office of the physician and surgeon or the medical facility.

15 (c) If the child is not released to his or her parent or guardian,  
16 the child shall be deemed detained for purposes of this chapter.

17 (d) (1) If an able and willing relative, as defined in Section 319,  
18 or an able and willing nonrelative extended family member, as  
19 defined in Section 362.7, is available and requests temporary  
20 placement of the child pending the detention hearing, or after the  
21 detention hearing and pending the dispositional hearing conducted  
22 pursuant to Section 358, the county welfare department shall  
23 initiate an assessment of the relative's or nonrelative extended  
24 family member's suitability, which shall include an in-home  
25 inspection to assess the safety of the home and the ability of the  
26 relative or nonrelative extended family member to care for the  
27 child's needs, and a consideration of the results of a criminal  
28 records check conducted pursuant to subdivision (a) of Section  
29 16504.5 and a check of allegations of prior child abuse or neglect  
30 concerning the relative or nonrelative extended family member  
31 and other adults in the home. A relative's identification card from  
32 a foreign consulate or foreign passport shall be considered a valid  
33 form of identification for conducting a criminal records check and  
34 fingerprint clearance check under this subdivision. Upon  
35 completion of this assessment, the child may be placed in the  
36 assessed home. For purposes of this paragraph, and except for the  
37 criminal records check conducted pursuant to subdivision (a) of  
38 Section 16504.5, the standards used to determine suitability shall  
39 be the same standards set forth in the regulations for the licensing  
40 of foster family homes.

(2) Immediately following the placement of a child in the home of a relative or a nonrelative extended family member, the county welfare department shall evaluate and approve or deny the home for purposes of AFDC-FC eligibility pursuant to Section ~~11402~~. *The 11402 and CalWORKs eligibility pursuant to Article 2 (commencing with Section 11250) of Chapter 2 of Part 3 of Division 9. The placing agency shall immediately initiate the application for AFDC-FC and determine eligibility. If the child is found to be ineligible for AFDC-FC, the county shall immediately initiate and complete the application for and determine eligibility for CalWORKs, or the Approved Relative Caregiver Funding Option Program if the child is placed with a relative and the county has opted into the program pursuant to Section 11461.3. If the county determines that the child is not eligible for AFDC-FC benefits, the county welfare department shall explain the specific basis for this determination and shall immediately screen the child for eligibility for the federal Supplemental Security Income program in accordance with Section 13758. The application date for the Approved Relative Caregiver Funding Option Program or CalWORKs shall be the date the child was placed with the relative or nonrelative extended family member.*

(3) The standards used to evaluate and grant or deny approval of the home of the relative and of the home of a nonrelative extended family member, as described in Section 362.7, shall be the same standards set forth in regulations for the licensing of foster family homes which prescribe standards of safety and sanitation for the physical plant and standards for basic personal care, supervision, and services provided by the caregiver.

~~(3)~~

(4) To the extent allowed by federal law, as a condition of receiving funding under Title IV-E of the federal Social Security Act (42 U.S.C. Sec. 670 et seq.), if a relative or nonrelative extended family member meets all other conditions for approval, except for the receipt of the Federal Bureau of Investigation's criminal history information for the relative or nonrelative extended family member, and other adults in the home, as indicated, the county welfare department may approve the home and document that approval, if the relative or nonrelative extended family member, and each adult in the home, has signed and submitted a statement that he or she has never been convicted of a crime in the

1 United States, other than a traffic infraction as defined in paragraph  
2 (1) of subdivision (a) of Section 42001 of the Vehicle Code. If,  
3 after the approval has been granted, the department determines  
4 that the relative or nonrelative extended family member or other  
5 adult in the home has a criminal record, the approval may be  
6 terminated.

7 ~~(4)–~~

8 (5) If the criminal records check indicates that the person has  
9 been convicted of a crime for which the Director of Social Services  
10 cannot grant an exemption under Section 1522 of the Health and  
11 Safety Code, the child shall not be placed in the home. If the  
12 criminal records check indicates that the person has been convicted  
13 of a crime for which the Director of Social Services may grant an  
14 exemption under Section 1522 of the Health and Safety Code, the  
15 child shall not be placed in the home unless a criminal records  
16 exemption has been granted by the county based on substantial  
17 and convincing evidence to support a reasonable belief that the  
18 person with the criminal conviction is of such good character as  
19 to justify the placement and not present a risk of harm to the child.

20 (e) (1) If the child is removed, the social worker shall conduct,  
21 within 30 days, an investigation in order to identify and locate all  
22 grandparents, adult siblings, and other adult relatives of the child,  
23 as defined in paragraph (2) of subdivision (f) of Section 319,  
24 including any other adult relatives suggested by the parents. The  
25 social worker shall provide to all adult relatives who are located,  
26 except when that relative's history of family or domestic violence  
27 makes notification inappropriate, within 30 days of removal of the  
28 child, written notification and shall also, whenever appropriate,  
29 provide oral notification, in person or by telephone, of all the  
30 following information:

31 (A) The child has been removed from the custody of his or her  
32 parent or parents, or his or her guardians.

33 (B) An explanation of the various options to participate in the  
34 care and placement of the child and support for the child's family,  
35 including any options that may be lost by failing to respond. The  
36 notice shall provide information about providing care for the child  
37 while the family receives reunification services with the goal of  
38 returning the child to the parent or guardian, how to become a  
39 foster family home or approved relative or nonrelative extended  
40 family member as defined in Section 362.7, and additional services

1 and support that are available in out-of-home placements. The  
2 notice shall also include information regarding the Kin-GAP  
3 Program (Article 4.5 (commencing with Section 11360) of Chapter  
4 2 of Part 3 of Division 9), the CalWORKs program for approved  
5 relative caregivers (Chapter 2 (commencing with Section 11200)  
6 of Part 3 of Division 9), *the Approved Relative Caregiver Funding*  
7 *Option Program if the county has opted into the program under*  
8 *Section 11461.3*, adoption, and adoption assistance (Chapter 2.1  
9 (commencing with Section 16115) of Part 4 of Division 9), as well  
10 as other options for contact with the child, including, but not  
11 limited to, visitation. The State Department of Social Services, in  
12 consultation with the County Welfare Directors Association of  
13 California and other interested stakeholders, shall develop the  
14 written notice.

15 (2) The social worker shall also provide the adult relatives  
16 notified pursuant to paragraph (1) with a relative information form  
17 to provide information to the social worker and the court regarding  
18 the needs of the child. The form shall include a provision whereby  
19 the relative may request the permission of the court to address the  
20 court, if the relative so chooses. The Judicial Council, in  
21 consultation with the State Department of Social Services and the  
22 County Welfare Directors Association of California, shall develop  
23 the form.

24 (3) The social worker shall use due diligence in investigating  
25 the names and locations of the relatives pursuant to paragraph (1),  
26 including, but not limited to, asking the child in an age-appropriate  
27 manner about relatives important to the child, consistent with the  
28 child's best interest, and obtaining information regarding the  
29 location of the child's adult relatives. Each county welfare  
30 department shall create and make public a procedure by which  
31 relatives of a child who has been removed from his or her parents  
32 or guardians may identify themselves to the county welfare  
33 department and be provided with the notices required by paragraphs  
34 (1) and (2).

35 (f) *In addition to the notice required by subdivision (e), if a*  
36 *relative requests placement of the child, the county social worker*  
37 *or eligibility worker shall explain to the relative, either in person*  
38 *or by telephone, the eligibility requirements and benefit amounts*  
39 *for the AFDC-FC and CalWORKs programs, and the Approved*  
40 *Relative Caregiver Funding Option Program if the county has*

1 *opted into the program under Section 11461.3, as well as any*  
2 *actions the relative could take to affect the child's eligibility for*  
3 *those programs.*

4 SEC. 2. Section 361.45 of the Welfare and Institutions Code  
5 is amended to read:

6 361.45. (a) Notwithstanding any other ~~provision of law~~, when  
7 the sudden unavailability of a foster caregiver requires a change  
8 in placement on an emergency basis for a child who is under the  
9 jurisdiction of the juvenile court pursuant to Section 300, if an able  
10 and willing relative, as defined in Section 319, or an able and  
11 willing nonrelative extended family member, as defined in Section  
12 362.7, is available and requests temporary placement of the child  
13 pending resolution of the emergency situation, the county welfare  
14 department shall initiate an assessment of the relative's or  
15 nonrelative extended family member's suitability, which shall  
16 include an in-home inspection to assess the safety of the home and  
17 the ability of the relative or nonrelative extended family member  
18 to care for the child's needs, and a consideration of the results of  
19 a criminal records check conducted pursuant to Section 16504.5  
20 and a check of allegations of prior child abuse or neglect  
21 concerning the relative or nonrelative extended family member  
22 and other adults in the home. Upon completion of this assessment,  
23 the child may be placed in the assessed home. For purposes of this  
24 paragraph, and except for the criminal records check conducted  
25 pursuant to Section 16504.5, the standards used to determine  
26 suitability shall be the same standards set forth in the regulations  
27 for the licensing of foster family homes.

28 (b) Immediately following the placement of a child in the home  
29 of a relative or a nonrelative extended family member, the county  
30 welfare department shall evaluate and approve or deny the home  
31 for purposes of AFDC-FC eligibility pursuant to Section ~~11402~~.  
32 *The 11402 and CalWORKs eligibility pursuant to Article 2*  
33 *(commencing with Section 11250) of Chapter 2 of Part 3 of*  
34 *Division 9. The placing agency shall immediately initiate the*  
35 *application for AFDC-FC and determine eligibility. If the child is*  
36 *found to be ineligible for AFDC-FC, the county shall immediately*  
37 *initiate and complete the application for and determine eligibility*  
38 *for CalWORKs, or the Approved Relative Caregiver Funding*  
39 *Option Program if the child is placed with a relative and the county*  
40 *has opted into the program pursuant to Section 11461.3. If the*



1 *county determines that the child is not eligible for AFDC-FC*  
2 *benefits, the county welfare department shall explain the specific*  
3 *basis for this determination and shall immediately screen the child*  
4 *for eligibility for the federal Supplemental Security Income*  
5 *program in accordance with Section 13758. If aid is granted under*  
6 *the AFDC-FC or CalWORKs program, the beginning date of aid*  
7 *shall be the date the child was placed with the relative or*  
8 *nonrelative extended family member. The application date for the*  
9 *Approved Relative Caregiver Funding Option Program or*  
10 *CalWORKs shall be the date the child was placed with the relative.*

11 (c) *The standards used to evaluate and grant or deny approval*  
12 *of the home of the relative and of the home of a nonrelative*  
13 *extended family member, as described in Section 362.7, shall be*  
14 *the same standards set forth in regulations for the licensing of*  
15 *foster family homes which prescribe standards of safety and*  
16 *sanitation for the physical plant and standards for basic personal*  
17 *care, supervision, and services provided by the caregiver.*

18 ~~(e)–~~

19 (d) *If a relative or nonrelative extended family member, and*  
20 *other adults in the home, as indicated, meets all other conditions*  
21 *for approval, except for the receipt of the Federal Bureau of*  
22 *Investigation's criminal history information for the relative or*  
23 *nonrelative extended family member, the county welfare*  
24 *department may approve the home and document that approval,*  
25 *if the relative or nonrelative extended family member, and each*  
26 *adult in the home, has signed and submitted a statement that he or*  
27 *she has never been convicted of a crime in the United States, other*  
28 *than a traffic infraction as defined in paragraph (1) of subdivision*  
29 *(a) of Section 42001 of the Vehicle Code. If, after the approval*  
30 *has been granted, the department determines that the relative or*  
31 *nonrelative extended family member or other adult in the home*  
32 *has a criminal record, the approval may be terminated.*

33 ~~(d)–~~

34 (e) (1) ~~On and after January 1, 2012, if~~ *If a nonminor dependent,*  
35 *as defined in subdivision (v) of Section 11400, is placed in the*  
36 *home of a relative or nonrelative extended family member, the*  
37 *home shall be approved using the same standards set forth in*  
38 *regulations as described in Section 1502.7 of the Health and Safety*  
39 *Code.*

1     ~~On or before July 1, 2012, the~~ *The* department, in  
2 consultation with representatives of the Legislature, the County  
3 Welfare Directors Association, the Chief Probation Officers of  
4 California, the California Youth Connection, the Judicial Council,  
5 former foster youth, child advocacy organizations, dependency  
6 counsel for children, juvenile justice advocacy organizations, foster  
7 caregiver organizations, labor organizations, and representatives  
8 of Indian tribes, shall revise regulations regarding health and safety  
9 standards for approving relative homes in which nonminor  
10 dependents, as defined in subdivision (v) of Section 11400, of the  
11 juvenile court are placed under the responsibility of the county  
12 welfare or probation department, or an Indian tribe that entered  
13 into an agreement pursuant to Section 10553.1.

14     (3) Notwithstanding the Administrative Procedure Act (Chapter  
15 3.5 (commencing with Section 11340) of Part 1 of Division 3 of  
16 Title 2 of the Government Code), the department, in consultation  
17 with the stakeholders listed in paragraph (2), shall prepare for  
18 implementation of the applicable provisions of this section by  
19 publishing all-county letters or similar instructions from the director  
20 by October 1, 2011, to be effective January 1, 2012. Emergency  
21 regulations to implement this section may be adopted by the  
22 director in accordance with the Administrative Procedure Act. The  
23 initial adoption of the emergency regulations and one readoption  
24 of the initial regulations shall be deemed to be an emergency and  
25 necessary for the immediate preservation of the public peace,  
26 health, safety, or general welfare. Initial emergency regulations  
27 and the first readoption of those emergency regulations shall be  
28 exempt from review by the Office of Administrative Law. The  
29 emergency regulations authorized by this section shall be submitted  
30 to the Office of Administrative Law for filing with the Secretary  
31 of State and shall remain in effect for no more than 180 days.

32     SEC. 3. Section 11450 of the Welfare and Institutions Code,  
33 as added by Section 4 of Chapter 632 of the Statutes of 2014, is  
34 amended to read:

35     11450. (a) (1) (A) Aid shall be paid for each needy family,  
36 which shall include all eligible brothers and sisters of each eligible  
37 applicant or recipient child and the parents of the children, but  
38 shall not include unborn children, or recipients of aid under Chapter  
39 3 (commencing with Section 12000), qualified for aid under this  
40 chapter. In determining the amount of aid paid, and notwithstanding

the minimum basic standards of adequate care specified in Section 11452, the family's income, exclusive of any amounts considered exempt as income or paid pursuant to subdivision (e) or Section 11453.1, determined for the prospective semiannual period pursuant to Sections 11265.1, 11265.2, and 11265.3, and then calculated pursuant to Section 11451.5, shall be deducted from the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453 and paragraph (2). In no case shall the amount of aid paid for each month exceed the sum specified in the following table, as adjusted for cost-of-living increases pursuant to Section 11453 and paragraph (2), plus any special needs, as specified in subdivisions (c), (e), ~~and (f)~~, and (g):

Number of eligible needy persons in the same home	Maximum aid
1.....	\$ 326
2.....	535
3.....	663
4.....	788
5.....	899
6.....	1,010
7.....	1,109
8.....	1,209
9.....	1,306
10 or more.....	1,403

(B) If, when, and during those times that the United States government increases or decreases its contributions in assistance of needy children in this state above or below the amount paid on July 1, 1972, the amounts specified in the above table shall be increased or decreased by an amount equal to that increase or decrease by the United States government, provided that no increase or decrease shall be subject to subsequent adjustment pursuant to Section 11453.

(2) The sums specified in paragraph (1) shall not be adjusted for cost of living for the 1990–91, 1991–92, 1992–93, 1993–94, 1994–95, 1995–96, 1996–97, and 1997–98 fiscal years, and through

1 October 31, 1998, nor shall that amount be included in the base  
2 for calculating any cost-of-living increases for any fiscal year  
3 thereafter. Elimination of the cost-of-living adjustment pursuant  
4 to this paragraph shall satisfy the requirements of Section 11453.05,  
5 and no further reduction shall be made pursuant to that section.

6 (b) (1) When the family does not include a needy child qualified  
7 for aid under this chapter, aid shall be paid to a pregnant child who  
8 is 18 years of age or younger at any time after verification of  
9 pregnancy, in the amount that would otherwise be paid to one  
10 person, as specified in subdivision (a), if the child and her child,  
11 if born, would have qualified for aid under this chapter. Verification  
12 of pregnancy shall be required as a condition of eligibility for aid  
13 under this subdivision.

14 (2) Notwithstanding paragraph (1), when the family does not  
15 include a needy child qualified for aid under this chapter, aid shall  
16 be paid to a pregnant woman for the month in which the birth is  
17 anticipated and for the six-month period immediately prior to the  
18 month in which the birth is anticipated, in the amount that would  
19 otherwise be paid to one person, as specified in subdivision (a), if  
20 the woman and child, if born, would have qualified for aid under  
21 this chapter. Verification of pregnancy shall be required as a  
22 condition of eligibility for aid under this subdivision.

23 (3) Paragraph (1) shall apply only when the Cal-Learn Program  
24 is operative.

25 (c) The amount of forty-seven dollars (\$47) per month shall be  
26 paid to pregnant women qualified for aid under subdivision (a) or  
27 (b) to meet special needs resulting from pregnancy if the woman  
28 and child, if born, would have qualified for aid under this chapter.  
29 County welfare departments shall refer all recipients of aid under  
30 this subdivision to a local provider of the Women, Infants, and  
31 Children program. If that payment to pregnant women qualified  
32 for aid under subdivision (a) is considered income under federal  
33 law in the first five months of pregnancy, payments under this  
34 subdivision shall not apply to persons eligible under subdivision  
35 (a), except for the month in which birth is anticipated and for the  
36 three-month period immediately prior to the month in which  
37 delivery is anticipated, if the woman and child, if born, would have  
38 qualified for aid under this chapter.

39 (d) For children receiving AFDC-FC under this chapter, there  
40 shall be paid, exclusive of any amount considered exempt as

1 income, an amount of aid each month that, when added to the  
2 child's income, is equal to the rate specified in Section 11460,  
3 11461, 11462, 11462.1, or 11463. In addition, the child shall be  
4 eligible for special needs, as specified in departmental regulations.

5 (e) In addition to the amounts payable under subdivision (a)  
6 and Section 11453.1, a family shall be entitled to receive an  
7 allowance for recurring special needs not common to a majority  
8 of recipients. These recurring special needs shall include, but not  
9 be limited to, special diets upon the recommendation of a physician  
10 for circumstances other than pregnancy, and unusual costs of  
11 transportation, laundry, housekeeping services, telephone, and  
12 utilities. The recurring special needs allowance for each family  
13 per month shall not exceed that amount resulting from multiplying  
14 the sum of ten dollars (\$10) by the number of recipients in the  
15 family who are eligible for assistance.

16 (f) After a family has used all available liquid resources, both  
17 exempt and nonexempt, in excess of one hundred dollars (\$100),  
18 with the exception of funds deposited in a restricted account  
19 described in subdivision (a) of Section 11155.2, the family shall  
20 also be entitled to receive an allowance for nonrecurring special  
21 needs.

22 (1) An allowance for nonrecurring special needs shall be granted  
23 for replacement of clothing and household equipment and for  
24 emergency housing needs other than those needs addressed by  
25 paragraph (2). These needs shall be caused by sudden and unusual  
26 circumstances beyond the control of the needy family. The  
27 department shall establish the allowance for each of the  
28 nonrecurring special needs items. The sum of all nonrecurring  
29 special needs provided by this subdivision shall not exceed six  
30 hundred dollars (\$600) per event.

31 (2) (A) Homeless assistance is available to a homeless family  
32 seeking shelter when the family is eligible for aid under this  
33 chapter. Homeless assistance for temporary shelter is also available  
34 to homeless families that are apparently eligible for aid under this  
35 chapter. Apparent eligibility exists when evidence presented by  
36 the applicant, or that is otherwise available to the county welfare  
37 department, and the information provided on the application  
38 documents indicate that there would be eligibility for aid under  
39 this chapter if the evidence and information were verified.  
40 However, an alien applicant who does not provide verification of

1 his or her eligible alien status, or a woman with no eligible children  
2 who does not provide medical verification of pregnancy, is not  
3 apparently eligible for purposes of this section.

4 (B) A family is considered homeless, for the purpose of this  
5 section, when the family lacks a fixed and regular nighttime  
6 residence; or the family has a primary nighttime residence that is  
7 a supervised publicly or privately operated shelter designed to  
8 provide temporary living accommodations; or the family is residing  
9 in a public or private place not designed for, or ordinarily used as,  
10 a regular sleeping accommodation for human beings. A family is  
11 also considered homeless for the purpose of this section if the  
12 family has received a notice to pay rent or quit. The family shall  
13 demonstrate that the eviction is the result of a verified financial  
14 hardship as a result of extraordinary circumstances beyond their  
15 control, and not other lease or rental violations, and that the family  
16 is experiencing a financial crisis that could result in homelessness  
17 if preventative assistance is not provided.

18 (A) (i) A nonrecurring special needs benefit of sixty-five dollars  
19 (\$65) a day shall be available to families of up to four members  
20 for the costs of temporary shelter, subject to the requirements of  
21 this paragraph. The fifth and additional members of the family  
22 shall each receive fifteen dollars (\$15) per day, up to a daily  
23 maximum of one hundred twenty-five dollars (\$125). County  
24 welfare departments may increase the daily amount available for  
25 temporary shelter as necessary to secure the additional bedspace  
26 needed by the family.

27 (ii) This special needs benefit shall be granted or denied  
28 immediately upon the family's application for homeless assistance,  
29 and benefits shall be available for up to three working days. The  
30 county welfare department shall verify the family's homelessness  
31 within the first three working days and if the family meets the  
32 criteria of questionable homelessness established by the  
33 department, the county welfare department shall refer the family  
34 to its early fraud prevention and detection unit, if the county has  
35 such a unit, for assistance in the verification of homelessness within  
36 this period.

37 (iii) After homelessness has been verified, the three-day limit  
38 shall be extended for a period of time which, when added to the  
39 initial benefits provided, does not exceed a total of 16 calendar  
40 days. This extension of benefits shall be done in increments of one

1 week and shall be based upon searching for permanent housing which shall be documented on a housing search form, good cause, or other circumstances defined by the department. Documentation of a housing search shall be required for the initial extension of benefits beyond the three-day limit and on a weekly basis thereafter as long as the family is receiving temporary shelter benefits. Good cause shall include, but is not limited to, situations in which the county welfare department has determined that the family, to the extent it is capable, has made a good faith but unsuccessful effort to secure permanent housing while receiving temporary shelter benefits.

(B) (i) A nonrecurring special needs benefit for permanent housing assistance is available to pay for last month's rent and security deposits when these payments are reasonable conditions of securing a residence, or to pay for up to two months of rent arrearages, when these payments are a reasonable condition of preventing eviction.

(ii) The last month's rent or monthly arrearage portion of the payment (I) shall not exceed 80 percent of the family's total monthly household income without the value of CalFresh benefits or special needs benefit for a family of that size and (II) shall only be made to families that have found permanent housing costing no more than 80 percent of the family's total monthly household income without the value of CalFresh benefits or special needs benefit for a family of that size.

(iii) However, if the county welfare department determines that a family intends to reside with individuals who will be sharing housing costs, the county welfare department shall, in appropriate circumstances, set aside the condition specified in subclause (II) of clause (ii).

(C) The nonrecurring special needs benefit for permanent housing assistance is also available to cover the standard costs of deposits for utilities which are necessary for the health and safety of the family.

(D) A payment for or denial of permanent housing assistance shall be issued no later than one working day from the time that a family presents evidence of the availability of permanent housing. If an applicant family provides evidence of the availability of permanent housing before the county welfare department has established eligibility for aid under this chapter, the county welfare

1 department shall complete the eligibility determination so that the  
2 denial of or payment for permanent housing assistance is issued  
3 within one working day from the submission of evidence of the  
4 availability of permanent housing, unless the family has failed to  
5 provide all of the verification necessary to establish eligibility for  
6 aid under this chapter.

7 (E) (i) Except as provided in clauses (ii) and (iii), eligibility  
8 for the temporary shelter assistance and the permanent housing  
9 assistance pursuant to this paragraph shall be limited to one period  
10 of up to 16 consecutive calendar days of temporary assistance and  
11 one payment of permanent assistance. Any family that includes a  
12 parent or nonparent caretaker relative living in the home who has  
13 previously received temporary or permanent homeless assistance  
14 at any time on behalf of an eligible child shall not be eligible for  
15 further homeless assistance. Any person who applies for homeless  
16 assistance benefits shall be informed that the temporary shelter  
17 benefit of up to 16 consecutive days is available only once in a  
18 lifetime, with certain exceptions, and that a break in the consecutive  
19 use of the benefit constitutes permanent exhaustion of the  
20 temporary benefit.

21 (ii) A family that becomes homeless as a direct and primary  
22 result of a state or federally declared natural disaster shall be  
23 eligible for temporary and permanent homeless assistance.

24 (iii) A family shall be eligible for temporary and permanent  
25 homeless assistance when homelessness is a direct result of  
26 domestic violence by a spouse, partner, or roommate; physical or  
27 mental illness that is medically verified that shall not include a  
28 diagnosis of alcoholism, drug addiction, or psychological stress;  
29 or, the uninhabitability of the former residence caused by sudden  
30 and unusual circumstances beyond the control of the family  
31 including natural catastrophe, fire, or condemnation. These  
32 circumstances shall be verified by a third-party governmental or  
33 private health and human services agency, except that domestic  
34 violence may also be verified by a sworn statement by the victim,  
35 as provided under Section 11495.25. Homeless assistance payments  
36 based on these specific circumstances may not be received more  
37 often than once in any 12-month period. In addition, if the domestic  
38 violence is verified by a sworn statement by the victim, the  
39 homeless assistance payments shall be limited to two periods of  
40 not more than 16 consecutive calendar days of temporary assistance



1 and two payments of permanent assistance. A county may require  
2 that a recipient of homeless assistance benefits who qualifies under  
3 this paragraph for a second time in a 24-month period participate  
4 in a homelessness avoidance case plan as a condition of eligibility  
5 for homeless assistance benefits. The county welfare department  
6 shall immediately inform recipients who verify domestic violence  
7 by a sworn statement of the availability of domestic violence  
8 counseling and services, and refer those recipients to services upon  
9 request.

10 (iv) If a county requires a recipient who verifies domestic  
11 violence by a sworn statement to participate in a homelessness  
12 avoidance case plan pursuant to clause (iii), the plan shall include  
13 the provision of domestic violence services, if appropriate.

14 (v) If a recipient seeking homeless assistance based on domestic  
15 violence pursuant to clause (iii) has previously received homeless  
16 avoidance services based on domestic violence, the county shall  
17 review whether services were offered to the recipient and consider  
18 what additional services would assist the recipient in leaving the  
19 domestic violence situation.

20 (vi) The county welfare department shall report necessary data  
21 to the department through a statewide homeless assistance payment  
22 indicator system, as requested by the department, regarding all  
23 recipients of aid under this paragraph.

24 (F) The county welfare departments, and all other entities  
25 participating in the costs of the CalWORKs program, have the  
26 right in their share to any refunds resulting from payment of the  
27 permanent housing. However, if an emergency requires the family  
28 to move within the 12-month period specified in subparagraph  
29 (E), the family shall be allowed to use any refunds received from  
30 its deposits to meet the costs of moving to another residence.

31 (G) Payments to providers for temporary shelter and permanent  
32 housing and utilities shall be made on behalf of families requesting  
33 these payments.

34 (H) The daily amount for the temporary shelter special needs  
35 benefit for homeless assistance may be increased if authorized by  
36 the current year's Budget Act by specifying a different daily  
37 allowance and appropriating the funds therefor.

38 (I) No payment shall be made pursuant to this paragraph unless  
39 the provider of housing is a commercial establishment, shelter, or

1 person in the business of renting properties who has a history of  
2 renting properties.

3 *(g) A child who has been removed from his or her home and*  
4 *detained or placed in the home of a relative caregiver and is the*  
5 *subject of a petition filed under Section 300, 601, or 602, or is the*  
6 *subject of a voluntary placement agreement, as defined in*  
7 *subdivision (p) of Section 11400, and who is a teen parent whose*  
8 *child is living in the same home or placement, shall also receive*  
9 *an infant supplement, in an amount determined in the manner*  
10 *provided in subdivision (b) of Section 11465 for a child in a foster*  
11 *family home.*

12 ~~(g)~~

13 *(h) The department shall establish rules and regulations ensuring*  
14 *the uniform statewide application of this section.*

15 ~~(h)~~

16 *(i) The department shall notify all applicants and recipients of*  
17 *aid through the standardized application form that these benefits*  
18 *are available and shall provide an opportunity for recipients to*  
19 *apply for the funds quickly and efficiently.*

20 ~~(i)~~

21 *(j) (A) Except for the purposes of Section 15200, the amounts*  
22 *payable to recipients pursuant to Section 11453.1 shall not*  
23 *constitute part of the payment schedule set forth in subdivision*  
24 *(a).*

25 *(B) The amounts payable to recipients pursuant to Section*  
26 *11453.1 shall not constitute income to recipients of aid under this*  
27 *section.*

28 ~~(j)~~

29 *(k) For children receiving Kin-GAP pursuant to Article 4.5*  
30 *(commencing with Section 11360) or Article 4.7 (commencing*  
31 *with Section 11385) there shall be paid, exclusive of any amount*  
32 *considered exempt as income, an amount of aid each month, which,*  
33 *when added to the child's income, is equal to the rate specified in*  
34 *Sections 11364 and 11387.*

35 ~~(k)~~

36 *(l) (1) A county shall implement the semiannual reporting*  
37 *requirements in accordance with Chapter 501 of the Statutes of*  
38 *2011 no later than October 1, 2013.*

39 *(2) Upon completion of the implementation described in*  
40 *paragraph (1), each county shall provide a certificate to the director*

1 certifying that semiannual reporting has been implemented in the  
2 county.

3 (3) Upon filing the certificate described in paragraph (2), a  
4 county shall comply with the semiannual reporting provisions of  
5 this section.

6 ~~(d) This section shall become operative on July 1, 2015.~~

7 SEC. 4. Section 11461.3 of the Welfare and Institutions Code  
8 is amended to read:

9 11461.3. (a) ~~The~~ *(1) The Legislature recognizes the*  
10 *importance of approved relative caregivers to the state's child*  
11 *welfare system. Relative placements are the most utilized type of*  
12 *foster placement in California. In establishing the Approved*  
13 *Relative Caregiver Funding Option Program pursuant to this*  
14 *section, the Legislature intends to ensure that children placed with*  
15 *relatives are able to access state funding in an equal amount and*  
16 *in a similar manner to children in other types of foster placements.*

17 (2) *The Approved Relative Caregiver Funding Option Program*  
18 *is hereby established for the purpose of making the amount paid*  
19 *to approved relative caregivers for the in-home care of children*  
20 *placed with them who are ineligible for AFDC-FC payments equal*  
21 *to the amount paid on behalf of children who are eligible for*  
22 *AFDC-FC payments. This is an optional program for counties*  
23 *choosing to participate, and in so doing, participating counties*  
24 *agree to the terms of this section as a condition of their*  
25 *participation. It is the intent of the Legislature that the funding*  
26 *described in paragraph (1) of subdivision (e) for the Approved*  
27 *Relative Caregiver Funding Option Program be appropriated, and*  
28 *available for use from January through December of each year,*  
29 *unless otherwise specified.*

30 (b) Subject to subdivision (c), effective January 1, 2015, counties  
31 shall pay an approved relative caregiver a per child per month rate  
32 in return for the care and supervision, as defined in subdivision  
33 (b) of Section 11460, of a child that is placed with the relative  
34 caregiver that is equal to the basic rate paid to foster care providers  
35 pursuant to subdivision (g) of Section 11461, if both of the  
36 following conditions are met:

37 (1) The county with payment responsibility has notified the  
38 department in writing by October 1 of the year before participation  
39 begins of its decision to participate in the Approved Relative  
40 Caregiver Funding Option Program.

1 (2) The related child placed in the home meets all of the  
2 following requirements:

3 ~~(A) The child resides in the State of California.~~

4 ~~(B)–~~

5 (A) The child is described by subdivision (b), (c), or (e) of  
6 Section 11401 and the county welfare department or the county  
7 probation department is responsible for the placement and care of  
8 the child.

9 ~~(C)–~~

10 (B) The child is not eligible for AFDC-FC while placed with  
11 the approved relative caregiver because the child is not eligible  
12 for federal financial participation in the AFDC-FC payment.

13 (c) A county's election to participate in the Approved Relative  
14 Caregiver Funding Option Program shall affirmatively indicate  
15 that the county understands and agrees to all of the following  
16 conditions:

17 (1) Commencing October 1, 2014, the county shall notify the  
18 department in writing of its decision to participate in the Approved  
19 Relative Caregiver Funding Option Program. Failure to make  
20 timely notification, without good cause as determined by the  
21 department, shall preclude the county from participating in the  
22 program for the upcoming year. Annually thereafter, any county  
23 not presently participating who elects to do so shall notify the  
24 department in writing no later than October 1 of its decision to  
25 participate for the upcoming calendar year.

26 (2) The county shall confirm that it will make per child per  
27 month payments to all approved relative caregivers on behalf of  
28 eligible children in the amount specified in subdivision (b) for the  
29 duration of the participation of the county in this program.

30 (3) The county shall confirm that it will be solely responsible  
31 to pay any additional costs needed to make all payments pursuant  
32 to subdivision (b) if the state and federal funds allocated to the  
33 Approved Relative Caregiver Funding Option Program pursuant  
34 to paragraph (1) of subdivision (e) are insufficient to make all  
35 eligible payments.

36 (d) (1) A county deciding to opt out of the Approved Relative  
37 Caregiver Funding Option Program shall provide at least 120 days'  
38 prior written notice of that decision to the department. Additionally,  
39 the county shall provide at least 90 days' prior written notice to  
40 the approved relative caregiver or caregivers informing them that

1 his or her per child per month payment will be reduced and the  
2 date that the reduction will occur.

3 (2) The department shall presume all counties have opted out  
4 of the Approved Relative Caregiver Funding Option Program if  
5 the funding appropriated in subclause (II) of clause (i) of  
6 subparagraph (B) of paragraph (1) of subdivision (e), including  
7 any additional funds appropriated pursuant to clause (ii) of  
8 subparagraph (B) of paragraph (1) of subdivision (e), is reduced,  
9 unless a county notifies the department in writing of its intent to  
10 opt in within 60 days of enactment of the State Budget. The  
11 counties shall provide at least 90 days' prior written notice to the  
12 approved relative caregiver or caregivers informing them that his  
13 or her per child per month payment will be reduced, and the date  
14 that the reduction will occur.

15 (3) Any reduction in payments received by an approved relative  
16 caregiver on behalf of a child under this section that results from  
17 a decision by a county, including the presumed opt-out pursuant  
18 to paragraph (2), to not participate in the Approved Relative  
19 Caregiver Funding Option Program shall be exempt from state  
20 hearing jurisdiction under Section 10950.

21 (e) (1) The following funding shall be used for the Approved  
22 Relative Caregiver Funding Option Program:

23 (A) The applicable regional per-child CalWORKs grant.

24 (B) (i) General Fund resources that do not count toward the  
25 state's maintenance of effort requirements under Section  
26 609(a)(7)(B)(i) of Title 42 of the United States Code. For this  
27 purpose, the following money is hereby appropriated:

28 (I) The sum of thirty million dollars (\$30,000,000) from the  
29 General Fund for the period January 1, 2015, through December  
30 31, 2015.

31 (II) The sum of thirty million dollars (\$30,000,000) from the  
32 General Fund in each calendar year thereafter, as cumulatively  
33 adjusted annually by the California Necessities Index used for each  
34 May Revision of the Governor's Budget, to be used in each  
35 respective calendar year.

36 (ii) To the extent that the appropriation made in subclause (I)  
37 is insufficient to fully fund the base caseload of approved relative  
38 caregivers as of July 1, 2014, for the period of time described in  
39 subclause (I), as jointly determined by the department and the  
40 County Welfare Directors' Association and approved by the

1 Department of Finance on or before October 1, 2015, the amounts  
2 specified in subclauses (I) and (II) shall be increased in the  
3 respective amounts necessary to fully fund that base caseload.  
4 Thereafter, the adjusted amount of subclause (II), and the other  
5 terms of that provision, including an annual California Necessities  
6 Index adjustment to its amount, shall apply.

7 (C) County funds only to the extent required under paragraph  
8 (3) of subdivision (c).

9 (D) This section is intended to appropriate the funding necessary  
10 to fully fund the base caseload of approved relative caregivers,  
11 defined as the number of approved relative caregivers caring for  
12 a child who is not eligible to receive AFDC-FC payments, as of  
13 July 1, 2014.

14 (2) Funds available pursuant to subparagraphs (A) and (B) of  
15 paragraph (1) shall be allocated to participating counties  
16 proportionate to the number of their approved relative caregiver  
17 placements, using a methodology and timing developed by the  
18 department, following consultation with county human services  
19 agencies and their representatives.

20 (3) Notwithstanding subdivision (c), if in any calendar year the  
21 entire amount of funding appropriated by the state for the Approved  
22 Relative Caregiver Funding Option Program has not been fully  
23 allocated to or utilized by counties, a county that has paid any  
24 funds pursuant to subparagraph (C) of paragraph (1) of subdivision  
25 (e) may request reimbursement for those funds from the  
26 department. The authority of the department to approve the requests  
27 shall be limited by the amount of available unallocated funds.

28 (4) *Receipt of funding through the Approved Relative Caregiver*  
29 *Funding Option Program shall begin immediately upon a finding*  
30 *that the child is not eligible for AFDC-FC pursuant to subdivision*  
31 *(a) of Section 11404 and initiation of payment shall not be*  
32 *dependent upon completion of any application. To the extent that*  
33 *an application or other information is required to determine county*  
34 *share of costs or for the utilization of CalWORKs funding, the*  
35 *county shall complete that application, or provide that information,*  
36 *on behalf of the relative caregiver.*

37 (f) An approved relative caregiver receiving payments on behalf  
38 of a child pursuant to this section shall not be eligible to receive  
39 additional CalWORKs payments on behalf of the same child under  
40 Section 11450.

1 (g) To the extent permitted by federal law, payments received  
2 by the approved relative caregiver from the Approved Relative  
3 Caregiver Funding Option Program shall not be considered income  
4 for the purpose of determining other public benefits.

5 (h) Prior to referral of any individual or recipient, or that  
6 person's case, to the local child support agency for child support  
7 services pursuant to Section 17415 of the Family Code, the county  
8 human services agency shall determine if an applicant or recipient  
9 has good cause for noncooperation, as set forth in Section  
10 11477.04. If the applicant or recipient claims good cause exception  
11 at any subsequent time to the county human services agency or  
12 the local child support agency, the local child support agency shall  
13 suspend child support services until the county social services  
14 agency determines the good cause claim, as set forth in Section  
15 11477.04. If good cause is determined to exist, the local child  
16 support agency shall suspend child support services until the  
17 applicant or recipient requests their resumption, and shall take  
18 other measures that are necessary to protect the applicant or  
19 recipient and the children. If the applicant or recipient is the parent  
20 of the child for whom aid is sought and the parent is found to have  
21 not cooperated without good cause as provided in Section  
22 11477.04, the applicant's or recipient's family grant shall be  
23 reduced by 25 percent for the time the failure to cooperate lasts.

24 (i) Consistent with Section 17552 of the Family Code, if aid is  
25 paid under this chapter on behalf of a child who is under the  
26 jurisdiction of the juvenile court and whose parent or guardian is  
27 receiving reunification services, the county human services agency  
28 shall determine, prior to referral of the case to the local child  
29 support agency for child support services, whether the referral is  
30 in the best interest of the child, taking into account both of the  
31 following:

32 (1) Whether the payment of support by the parent will pose a  
33 barrier to the proposed reunification in that the payment of support  
34 will compromise the parent's ability to meet the requirements of  
35 the parent's reunification plan.

36 (2) Whether the payment of support by the parent will pose a  
37 barrier to the proposed reunification in that the payment of support  
38 will compromise the parent's current or future ability to meet the  
39 financial needs of the child.

(j) An approved relative caregiver may receive payments on behalf of a child who meets the requirements of paragraph (2) of subdivision (b), regardless of whether the child resides, or will be residing, outside of the county of jurisdiction or outside of the state pursuant to his or her placement. The county of jurisdiction shall be responsible for providing the Approved Relative Caregiver Funding Option payment to the relative caregiver.

(k) A child who has been removed from his or her home and detained or placed in the home of a relative caregiver and is the subject of a petition filed under Section 300, 601, or 602, or is the subject of a voluntary placement agreement, as defined in subdivision (p) of Section 11400, and who is a teen parent whose child is living in the same home or placement, shall also receive an infant supplement, in an amount determined in the manner provided in subdivision (b) of Section 11465 for a child in a foster family home.

SEC. 5. Section 11465 of the Welfare and Institutions Code is amended to read:

11465. (a) When a child is living with a parent who receives AFDC-FC, Approved Relative Caregiver Funding Option Program benefits, or Kin-GAP benefits, the rate paid to the provider on behalf of the parent shall include an amount for infant supplement to cover the cost of care and supervision of the child.

(b) For each category of eligible licensed community care facility, as defined in Section 1502 of the Health and Safety Code, the department shall adopt regulations setting forth a uniform rate to cover the cost of care and supervision of the child in each category of eligible licensed community care facility.

(c) (1) On and after July 1, 1998, the uniform rate to cover the cost of care and supervision of a child pursuant to this section shall be increased by 6 percent, rounded to the nearest dollar. The resultant amounts shall constitute the new uniform rate.

(2) (A) On and after July 1, 1999, the uniform rate to cover the cost of care and supervision of a child pursuant to this section shall be adjusted by an amount equal to the California Necessities Index computed pursuant to Section 11453, rounded to the nearest dollar. The resultant amounts shall constitute the new uniform rate, subject to further adjustment pursuant to subparagraph (B).

(B) In addition to the adjustment specified in subparagraph (A), on and after January 1, 2000, the uniform rate to cover the cost of



1 care and supervision of a child pursuant to this section shall be  
2 increased by 2.36 percent, rounded to the nearest dollar. The  
3 resultant amounts shall constitute the new uniform rate.

4 (3) Subject to the availability of funds, for the 2000–01 fiscal  
5 year and annually thereafter, these rates shall be adjusted for cost  
6 of living pursuant to procedures in Section 11453.

7 (4) On and after January 1, 2008, the uniform rate to cover the  
8 cost of care and supervision of a child pursuant to this section shall  
9 be increased by 5 percent, rounded to the nearest dollar. The  
10 resulting amount shall constitute the new uniform rate.

11 (d) (1) Notwithstanding subdivisions (a) to (c), inclusive, the  
12 payment made pursuant to this section for care and supervision of  
13 a child who is living with a teen parent in a whole family foster  
14 home, as defined in Section 11400, shall equal the basic rate for  
15 children placed in a licensed or approved home as specified in  
16 subdivisions (a) to (d), inclusive, and subdivision (g), of Section  
17 11461.

18 (2) The amount paid for care and supervision of a dependent  
19 infant living with a dependent teen parent receiving AFDC-FC  
20 benefits in a group home placement shall equal the infant  
21 supplement rate for group home placements.

22 (3) (A) The caregiver shall provide the county child welfare  
23 agency or probation department with a copy of the shared  
24 responsibility plan developed pursuant to Section 16501.25 and  
25 shall advise the county child welfare agency or probation  
26 department of any subsequent changes to the plan. Once the plan  
27 has been completed and provided to the appropriate agencies, the  
28 payment made pursuant to this section shall be increased by an  
29 additional two hundred dollars (\$200) per month to reflect the  
30 increased care and supervision while he or she is placed in the  
31 whole family foster home.

32 (B) A nonminor dependent parent residing in a supervised  
33 independent living placement, as defined in subdivision (w) of  
34 Section 11400, who develops a written parenting support plan  
35 pursuant to Section 16501.26 shall provide the county child welfare  
36 agency or probation department with a copy of the plan and shall  
37 advise the county child welfare agency or probation department  
38 of any subsequent changes to the plan. The payment made pursuant  
39 to this section shall be increased by an additional two hundred

1 dollars (\$200) per month after all of the following have been  
2 satisfied:

3 (i) The plan has been completed and provided to the appropriate  
4 county agency.

5 (ii) The plan has been approved by the appropriate county  
6 agency.

7 (iii) The county agency has determined that the identified  
8 responsible adult meets the criteria specified in Section 16501.27.

9 (4) In a year in which the payment provided pursuant to this  
10 section is adjusted for the cost of living as provided in paragraph  
11 (1) of subdivision (c), the payments provided for in this subdivision  
12 shall also be increased by the same procedures.

13 (5) A Kin-GAP relative who, immediately prior to entering the  
14 Kin-GAP program, was designated as a whole family foster home  
15 shall receive the same payment amounts for the care and  
16 supervision of a child who is living with a teen parent they received  
17 in foster care as a whole family foster home.

18 (6) On and after January 1, 2012, the rate paid for a child living  
19 with a teen parent in a whole family foster home as defined in  
20 Section 11400 shall also be paid for a child living with a nonminor  
21 dependent parent who is eligible to receive AFDC-FC or Kin-GAP  
22 pursuant to Section 11403.

23 (7) *An Approved Relative Funding Option Program relative or*  
24 *a CalWORKs relative may be designated as a whole family foster*  
25 *home.*

26 SEC. 6. Section 11477.02 of the Welfare and Institutions Code  
27 is amended to read:

28 11477.02. (a) Prior to referral of any individual or recipient,  
29 or that person's case, to the local child support agency for child  
30 support services under Section 17400 or 17404 of the Family Code,  
31 the county welfare department shall determine if an applicant or  
32 recipient has good cause for noncooperation, as set forth in Section  
33 11477.04. If the applicant or recipient claims a good cause  
34 exception at any subsequent time to the county welfare department  
35 or the local child support agency, the local child support agency  
36 shall suspend child support services until the county welfare  
37 department determines the good cause claim, as set forth in Section  
38 11477.04. If good cause is determined to exist, the local child  
39 support agency shall suspend child support services until the  
40 applicant or recipient requests their resumption, and shall take

1 such other measures as are necessary to protect the applicant or  
2 recipient and the children. If the applicant or recipient is the parent  
3 of the child for whom aid is sought and the parent is found to have  
4 not cooperated without good cause as provided in Section  
5 11477.04, the applicant's or recipient's family grant shall be  
6 reduced by 25 percent for such time as the failure to cooperate  
7 lasts.

8 *(b) Consistent with Section 17552 of the Family Code, if aid is*  
9 *paid under this chapter on behalf of a child who is under the*  
10 *jurisdiction of the juvenile court and whose parent or guardian is*  
11 *receiving reunification services, the county welfare department*  
12 *shall determine, prior to referral of the case to the local child*  
13 *support agency for child support services, whether the referral is*  
14 *in the best interest of the child, taking into account both of the*  
15 *following:*

16 *(1) Whether the payment of support by the parent will pose a*  
17 *barrier to the proposed reunification in that the payment of support*  
18 *will compromise the parent's ability to meet the requirements of*  
19 *the parent's reunification plan.*

20 *(2) Whether the payment of support by the parent will pose a*  
21 *barrier to the proposed reunification in that the payment of support*  
22 *will compromise the parent's current or future ability to meet the*  
23 *financial needs of the child.*

24 SEC. 7. Section 13758 is added to the Welfare and Institutions  
25 Code, to read:

26 13758. (a) Every youth who is in foster care and has been  
27 determined to be ineligible for AFDC-FC benefits shall be screened  
28 by the county for potential eligibility for the federal Supplemental  
29 Security Income program utilizing the best practice guidelines  
30 developed pursuant to Section 13752.

31 (b) An application shall be submitted to the federal Social  
32 Security Administration on behalf of a youth who is screened as  
33 being likely to be eligible for federal Supplemental Security Income  
34 benefits.

35 SEC. 8. An appropriation pursuant to Section 15200 of the  
36 Welfare and Institutions Code shall not be made for purposes of  
37 implementing this act.

38 SEC. 9. If the Commission on State Mandates determines that  
39 this act contains costs mandated by the state, reimbursement to  
40 local agencies and school districts for those costs shall be made

- 1 pursuant to Part 7 (commencing with Section 17500) of Division
- 2 4 of Title 2 of the Government Code.

O